

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:95-00060

ROBERT LEE WILLIAMS, JR.

SUPERVISED RELEASE REVOCATION AND JUDGMENT ORDER
MEMORANDUM OPINION AND ORDER

On May 29, 2013, the United States of America appeared by Blaire L. Malkin, Assistant United States Attorney, and the defendant, Robert Lee Williams, Jr., appeared in person and by his counsel, Mark L. McMillian, for a hearing on the petition on supervised release and amendments thereto submitted by United States Probation Officer Douglas W. Smith. The defendant commenced a three-year term of supervised release in this action on March 13, 2009, as more fully set forth in the Judgment Including Sentence Under the Sentencing Reform Act entered by the court on January 23, 1997.

The court heard the admissions of the defendant and the representations and argument of counsel.

For reasons noted on the record of this proceeding, which are ORDERED incorporated herein by reference, the court found that the defendant has violated the conditions of supervised release in the following respects: (1) that the defendant committed the felony offense of transferring and receiving stolen property as evidenced by his plea of guilty in the Circuit Court of Kanawha County on May 10, 2010, for which he was sentenced to an imprisonment term of 1 to 10 years; (2) that the defendant used and possessed marijuana as evidenced by a positive urine specimen submitted by him on November 30, 2009, and his admission to the probation officer on December 9, 2009, that he did smoke marijuana prior to providing the specimen; and (3) that the defendant used alcohol to excess inasmuch as he was arrested and charged on January 20, 2010, with driving under the influence, which charge remains pending in the Magistrate Court of Kanawha County; all as admitted by the defendant on the record of the hearing and as set forth in the petition on supervised release and amendment thereto.

And the court finding, as more fully set forth on the record of the hearing, that the violations warrant revocation of supervised release and, further, that it would unduly depreciate

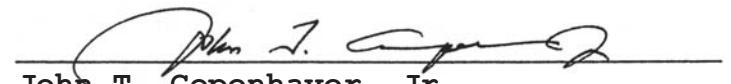
the seriousness of the violations if supervised release were not revoked, it is ORDERED that the supervised release previously imposed upon the defendant in this action be, and it hereby is, revoked.

And the court having complied with the requirements of Rule 32(a)(1)(B) and (C) of the Federal Rules of Criminal Procedure, and finding, after considering the factors set forth in 18 U.S.C. § 3583(e), that the defendant is in need of correctional treatment which can most effectively be provided if he is confined, it is accordingly ORDERED that the defendant be, and he hereby is, committed to the custody of the United States Bureau of Prisons for imprisonment for a period of TWELVE (12) MONTHS, to be followed by a term of two (2) years of supervised release upon the standard conditions of supervised release now in effect in this district by order entered June 22, 2007, and the further condition that the defendant not commit another federal, state or local crime and the special condition that he participate in an alcohol treatment program as directed by the probation officer.

The defendant was remanded to the custody of the United States Marshal.

The Clerk is directed to forward copies of this written opinion and order to the defendant, all counsel of record, the United States Probation Department, and the United States Marshal.

DATED: June 3, 2013



John T. Copenhaver, Jr.
United States District Judge